

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DAVID MIZRAHI, individually and on  
behalf of all others similarly situated,

Plaintiff,

vs.

THE BEAR STEARNS COMPANIES,  
INC., JAMES E. CAYNE, ALAN D.  
SCHWARTZ, WARREN J. SPECTOR,  
SAMUEL L. MOLINARO, JR., ALAN C.  
GREENBERG, and DOES 1-20

Defendants.

Case No.: 08 CIV 5170

(RWS)

**CLASS ACTION**

**MOTION TO ADMIT BRIAN R.  
STRANGE PRO HAC VICE**

Action Filed on June 5, 2008

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District

Court for Southern District of New York, I, Stephan H. Peskin, a member in good

standing of the bar of this Court, hereby move for an Order allowing the admission *pro*

*hac vice* of the following attorney:

Applicant's Name: Brian R. Strange (California Bar Number 103252)  
Firm Name: Strange & Carpenter  
Address: 12100 Wilshire Blvd., Suite 1900  
Los Angeles, California 90025  
Phone Number: (310) 207-5055  
Fax Number: (310) 826-3210  
E-Mail Address: lacounsel@earthlink.net

Brian R. Strange is a member in good standing of the following Courts:

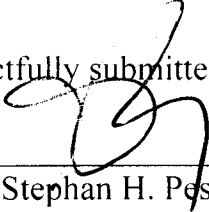
|  | <u>DATE ADMITTED</u> |
|--|----------------------|
| All Courts in the State of California                                | June 15, 1982        |
| United States Supreme Court  | November 2, 1992     |
| United States Courts of Appeals for the Third Circuit                | April 9, 2001        |
| United States Court of Appeals for the Eighth Circuit                | June 7, 2000         |
| United States Court of Appeals for the Fifth Circuit                 | February 17, 2004    |
| United States Court of Appeals for the Ninth Circuit                 | August 5, 1982       |
| United States Court of Federal Claims                                | March 25, 2003       |
| United States District Court for the Central District of California  | August 6, 1982       |
| United States District Court for the Northern District of California | August 4, 1982       |
| United States District Court for the Southern District of California | July 29, 1982        |
| United States District Court for the Eastern District of California  | September 18, 1982   |
| United States District Court for the Western District of Wisconsin   | December 28, 2007    |

There are no pending disciplinary proceedings against Brian R. Strange in any State or Federal court.

Dated: July 7, 2008  
New York, New York

Respectfully submitted,

By: \_\_\_\_\_

  
Stephan H. Peskin, NY Bar No. SHP5433  
TOLMAGE PESKIN HARRIS & FALICK  
20 Vesey Street  
New York, New York 10007  
Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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DAVID MIZRAHI, individually and on  
behalf of all others similarly situated,

Plaintiff,

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THE BEAR STEARNS COMPANIES,  
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Defendants.

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Case No. 08 CIV 5170

**CLASS ACTION**

**AFFIDAVIT OF STEPHAN H.  
PESKIN IN SUPPORT OF MOTION  
TO ADMIT BRIAN R. STRANGE  
PRO HAC VICE**

Action Filed on June 5, 2008

State of New York            )  
  )     ss:  
County of New York        )

I, Stephan H. Peskin, being duly sworn under penalty of perjury as follows:

1. I am partner at Tolmage Peskin Harris & Falick, counsel for Plaintiff in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Brian R. Strange as counsel *pro hac vice* to represent Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1968. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Brian R. Strange since 2008.

4. Brian R. Strange is President and Founder of Strange & Carpenter, in Los Angeles, California.

5. I have found Mr. Strange to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure. Mr. Strange has been approved as class counsel by numerous state and federal courts, has tried complex cases in California, Florida, Puerto Rico and Hawaii, and has been involved in settlements totaling over \$400 million. In addition, Mr. Strange has lectured on class actions before the California State Bar and at mandatory continuing legal education conferences conducted by Practicing Law Institute and the National Business Institute.

6. Attached hereto as Exhibit A, are original Certificates of Good Standing (outlined in the Motion on page 2) for Brian R. Strange, for each Court in which he is admitted.

7. Accordingly, I am pleased to move the admission of Brian R. Strange, *pro hac vice*.

8. I respectfully submit a proposed order granting the admission of Brian R.

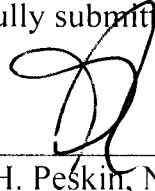
Strange, *pro hac vice*, which is attached hereto as Exhibit B.

**WHEREFORE**, it is respectfully requested that the motion to admit Brian R.

Strange, *pro hac vice*, to represent Plaintiff in the above-captioned matter, be granted.

Dated: July 7, 2008  
New York, New York

Respectfully submitted,

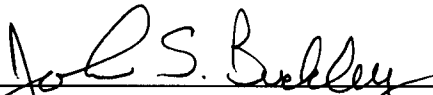


By: \_\_\_\_\_  
Stephan H. Peskin, NY Bar No. SHP5433  
TOLMAGE PESKIN HARRIS & FALICK  
20 Vesey Street  
New York, New York 10007  
*Attorneys for Plaintiff*

**In the United States Court of Federal Claims**

I, John S. Buckley, Acting Clerk of the United States Court of Federal Claims, do hereby certify that **BRIAN RUSSELL STRANGE**, Esquire was on **March 25, 2003**, duly sworn, enrolled and admitted as an attorney of the United States Court of Federal Claims; and on this date is a member of the United States Court of Federal Claims bar in good standing, as appears from the records and files of this office.

IN TESTIMONY WHEREOF I have hereunto  
subscribed my hand and affixed the seal  
of said Court at Washington, D.C.,  
this 20<sup>th</sup> day of June, A.D., 2008.

  
\_\_\_\_\_  
John S. Buckley, Acting Clerk  
U.S. Court of Federal Claims

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# United States District Court

Central District of California

## CERTIFICATE OF GOOD STANDING

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I, SHERRI R. CARTER, Clerk of this Court, certify that

Brian Russell Strange, Bar No. 103252

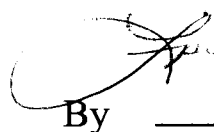
was duly admitted to practice in this Court on August 6, 1982

and is in good standing as a member of the Bar of this Court.

Dated at Los Angeles, California.

on June 17, 2008  
DATE

SHERRI R. CARTER, CLERK



By

Lupe Thrasher  
Lupe Thrasher, Deputy Clerk



# UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

## CERTIFICATE OF GOOD STANDING

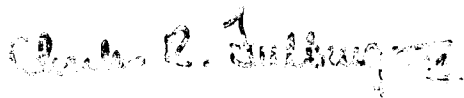
I, CHARLES R. FULBRUGE, III, Clerk of this Court,

certify that BRIAN RUSSELL STRANGE was duly admitted


to practice in this Court on FEBRUARY 17, 2004,  
DATE

and is in good standing in this Court.

Dated at NEW ORLEANS, LOUISIANA on JUNE 17, 2008  
LOCATION DATE



CLERK



DEPUTY CLERK

## CERTIFICATE OF GOOD STANDING

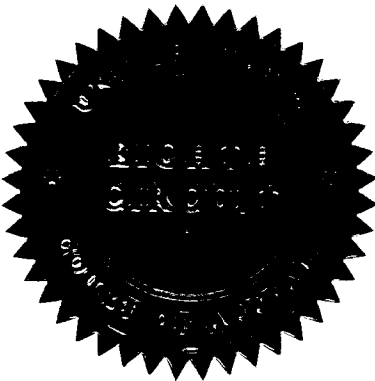
United States of America      \*  
Court of Appeals                \*      ss.  
for the Eighth Circuit        \*

I, *Michael E. Gans*, Clerk of the United States Court of Appeals for the Eighth Circuit, DO HEREBY CERTIFY That **Brian Russell Strange** was duly admitted to practice in said Court on **June 7, 2000** and is in good standing in said Court.

Dated at St. Louis, Missouri  
on June 16, 2008.

*Michael Gans*  
Clerk of Court

By *Donny R. Smith*  
Deputy Clerk



UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

**CERTIFICATE OF  
GOOD STANDING**

*I, Victoria C. Minor, Clerk of this Court,  
certify that Brian Russell Strange , Bar # 103252 ,  
was duly admitted to practice in this Court on  
9/15/1982 , and is in good standing  
as a member of the Bar of this Court.*

*Dated: June 18, 2008.*

  
\_\_\_\_\_  
*Victoria C. Minor, Clerk of Court*

# United States Court of Appeals

FOR THE NINTH CIRCUIT

## CERTIFICATE OF GOOD STANDING

I, Molly C. Dwyer, Clerk of this Court,  
certify that BRIAN R. STRANGE was duly admitted  
to practice in this Court on August 5, 1982  
Date  
and is in good standing in this Court.

Dated at San Francisco, CA on June 18, 2008  
Location Date

Molly C. Dwyer  
CLERK

Jerry Vang  
DEPUTY CLERK

# *Certificate of Good Standing*

*United States District Court* )

) ss.

*Northern District of California* )

*I, Richard W. Wicking, Clerk of the United States District Court for the Northern District of California, do hereby certify that Brian Russell Strange, Bar No. 103252 was duly admitted to practice in said Court on August 4, 1982, and is in good standing as a member of the bar of said Court.*

*Dated at San Francisco on June 17, 2008*

*Richard W. Wicking*  
*Clerk*



# THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 16, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, BRIAN RUSSELL STRANGE, #103252 was admitted to the practice of law in this state by the Supreme Court of California on June 15, 1982; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; that the public record states that information has been provided pursuant to Business and Professions Code section 6086.1(c); and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Dina DiLoreto".

Dina DiLoreto  
Director of Administration

## Certificate of Good Standing

United States of America  
Western District of Wisconsin } §

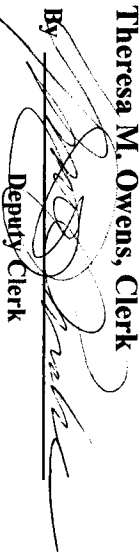
I, Theresa M. Owens, Clerk of the United States District Court for the Western District of Wisconsin,

DO HEREBY CERTIFY that Brian R. Strange was duly admitted to practice in said court on December 28, 2007, and is in good standing in said court.

Dated at MADISON, WI

June 16, 2008

Theresa M. Owens, Clerk

By  Deputy Clerk

**CERTIFICATE OF GOOD STANDING**

UNITED STATES OF AMERICA

SOUTHERN DISTRICT OF CALIFORNIA

} ss.

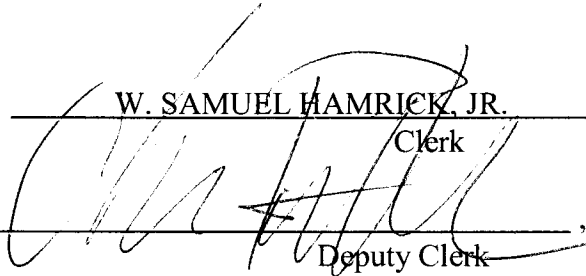
I, W. Samuel Hamrick, Jr., Clerk of the United States District Court for the  
Southern District of California,

DO HEREBY CERTIFY That Brian Russell Strange was duly admitted to practice in said  
Court on 7/29/1982, and is in good standing as a member of the bar of said Court

Dated at San Diego, CA

on June 13, 2008

By

  
W. SAMUEL HAMRICK, JR.  
Clerk  
Deputy Clerk

***Supreme Court of the United States***  
OFFICE OF THE CLERK  
WASHINGTON, D. C. 20543



**BRIAN R. STRANGE  
OF LOS ANGELES, CA**

was duly admitted and qualified as an Attorney and Counselor for the Supreme Court of the United States on the second day of November, in the year one thousand nine hundred and ninety-two, and is now a member of the Bar of this Court in good standing.

In testimony, whereof, as Clerk of said Court, I have hereunto set my hand and affixed the seal of said Court, at the City of Washington, this twentieth day of June 2008.

***William K. Suter***  
*Clerk of the Supreme Court  
of the United States*

By

  
Admissions Officer

***UNITED STATES COURT OF APPEALS FOR  
THE  
THIRD CIRCUIT  
CERTIFICATE OF GOOD STANDING***

I, MARCIA M. WALDRON, Clerk of the United States Court of Appeals for the Third Circuit, DO HEREBY CERTIFY THAT **Brian R. Strange** was admitted to practice before this Court as an attorney and counselor on **April 9, 2001** that he or she has never been suspended nor disbarred, and is presently a member of the bar of this Court in good standing.

I DO FURTHER CERTIFY that there are no grievances or complaints pending before the Disciplinary Committee of this Court against said attorney and counselor.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the said Court, at Philadelphia, this 16th day of June, 2008.

MARCIA M. WALDRON, Clerk  
United States Court of Appeals  
For the Third Circuit

By:



Patricia S. Dodszeit,  
Chief Deputy Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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DAVID MIZRAHI, individually and on  
behalf of all others similarly situated,

Plaintiff,

vs.

THE BEAR STEARNS COMPANIES,  
INC., JAMES E. CAYNE, ALAN D.  
SCHWARTZ, WARREN J. SPECTOR,  
SAMUEL L. MOLINARO, JR., ALAN C.  
GREENBERG, and DOES 1-20

Defendants.

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Case No.: 08 CIV 5170

**CLASS ACTION**

**[PROPOSED] ORDER GRANTING  
ADMISSION OF BRIAN R. STRANGE  
PRO HAC VICE ON WRITTEN  
MOTION**

Action Filed on June 5, 2008

Upon the motion of Stephan H. Peskin, attorney for Plaintiff David Mizrahi, and  
said sponsor attorney's affidavit in support:

**IT IS HEREBY ORDERED** that

Brian R. Strange  
Strange & Carpenter  
12100 Wilshire Blvd., Suite 1900  
Los Angeles, California 90025  
Tel: (310) 207-5055  
Fax: (310) 826-3210  
lacounsel@earthlink.net

is admitted to practice *pro hac vice* as counsel for Plaintiff David Mizrahi in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

DATED: \_\_\_\_\_  
United States District/Magistrate Judge

STATE OF NEW YORK     )  
  )SS:  
COUNTY OF NEW YORK )

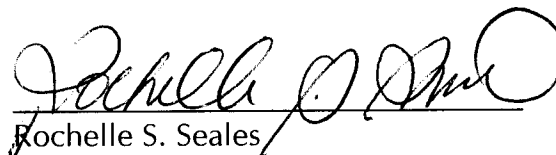
Rochelle S. Seales, being duly sworn, deposes and says: deponent is not a party to the action, is over 18 years of age and resides in the County of Kings, City and State of New York.

On July 07, 2008, deponent served the within Motion to Admit Brian R. Strange Pro Hac Vice

upon:           Paul, Weiss, Rafkin, Wharton & Garnson  
                  Attorneys for Bear Stearns Companies  
                  1285 Avenue of Americans  
                  New York, NY 10019

Skadden, Arps, Slate, Meacher & Flom, LLP.  
Attorneys for Alan D. Schwartz  
4 Times Square  
New York, NY 10036

at the address designated by said defendants for that purpose by depositing a true copy of same enclosed in a post-paid, properly addressed wrapper in Church Street Station Post Office under the exclusive care and custody of the United States Postal Service within the State of New York:

  
Rochelle S. Seales

Sworn to before me  
on July 7, 2008

  
Notary Public

**Matthew C Lombardi**  
**Notary Public State of New York**  
**No. 02LO6169029**  
**Qualified in Bronx County**  
**Commission Expires 06/18/11**